

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 1789.01
COMPLAINT INVESTIGATOR: Jane Taylor-Holmes
DATE OF COMPLAINT: August 1, 2001
DATE OF REPORT: August 20, 2001
REQUEST FOR RECONSIDERATION: no
DATE OF CLOSURE: September 14, 2001

COMPLAINT ISSUES:

Whether the Richmond Community School Corporation violated:

511 IAC 7-27-7(a) with regard to the school's alleged failure to implement the student's *individualized education program* (the "IEP") as written, specifically, failing to provide summer school services.

FINDINGS OF FACT:

1. The student (the "Student") is eight years old and attends the local elementary school (the "School"), where the Student completed the second grade during the 2000-01 school year. The Student is eligible for special education and related services as a student with a learning disability ("LD").
2. The complainant (the "Complainant") contends that he did not receive any notice regarding where the Student was to attend summer school. When he called the local school corporation (the "Corporation") on July 27, 2001, he was told to take the Student to a school other than the School on July 30, 2001, to see if there were any openings. The Complainant was told that the Student could attend if there was an opening. The Complainant's belief is that he should have received a written notice as to where and when summer school would be held. The Complainant also believes that it was not his place to take the Student to another school to see if there was an opening.
3. The Student's annual case review (the "ACR") was held on March 28, 2001. Page seven of the Student's *IEP* indicates that the case conference committee (the "CCC") determined that the Student did not need extended school year services ("ESY") during the summer of 2001. The *CC Summary* and the *IEP* do not include any indication that the CCC discussed and determined that the Student should attend summer school.
4. The local director of special education (the "Director") reported that at various times throughout the spring of 2000, the School encouraged all parents of second grade students to enroll their children in the voluntary program, "Jump Start", which was designed as preparation for the third grade ISTEP+.
5. The Director reported that the "Jump Start" office never received a completed enrollment form for the Student to attend; therefore, the Corporation was unaware of the Student when the Complainant called on July 27, 2001.

CONCLUSION:

Findings of Fact #3, #4, and #5 indicate that there was no determination by the CCC for the Student to attend summer school. Further, the CCC determined that the Student did not require ESY. No violation of IAC 7-27-7(a) occurred with regard to the School's failure to implement the Student's *IEP*.

The Department of Education, Division of Special Education requires no corrective action based on the Findings of Fact and Conclusions listed above.

DATE REPORT COMPLETED: August 20, 2001